Case 24-13609 Doc 88-4 Filed 01/22/25 Page 1 of 10

COURT ADDRESS: 1425 NORTH COURTHOUSE ROAD #6100 ARLINGTON, VA 22201 PHONE #:703-228-7010

Receipt: 22000005217



OFFICIAL RECEIPT
ARLINGTON CIRCUIT COURT
CIVIL

DATE: 05/17/2022

TIME: 15:21:07

CASE #: 013CL2100184100

RECEIPT #: 22000005217

TRANSACTION #: 22051700057 REGISTER #: C215

FILING TYPE : MECH

PAYMENT: FULL PAYMENT

CASHIER: SJF

CASE COMMENTS: INFINITY BUILDING SERVIC v. SMOKECRAFT CLARENDON LLC

SUIT AMOUNT: \$0.00

ACCOUNT OF: SMOKECRAFT CLARENDON LLC
PAID BY: INFINITY BUILDING SERVICES INC

CHECK: \$64,000.00 CHECK NUMBER: 442205717

DESCRIPTION 1: PLAINTIFF: INFINITY BUILDING SERVICES INC

2: NO HEARING SCHEDULED

ACCOUNT	DESCRIPTION	PAID		
503	BONDS (CIVIL)	\$64,000.00		

TENDERED:\$

64,000.00

AMOUNT PAID: \$

64,000.00

Page 1 of 1

IN THE CIRCUIT COURT OF ARLINGTON COUNTY FOR THE COMMONWEALTH OF VIRGINIA

INFINITY BUILDING SERVICES, INC.,

Plaintiff,

Case No.: CL-2021-1841

VS.

SMOKECRAFT CLARENDON, LLC, et al.,

Defendants.

CONSENT MOTION/PETITION OF SMOKECRAFT CLARENDON, LLC FOR PERMISSION TO DISCHARGE LIEN

COMES NOW, Defendant Smokecraft Clarendon, LLC (hereinafter "Smokecraft"), with the consent of Plaintiff Infinity Building Services, Inc. (hereinafter "Infinity") (together, the "Parties"), by undersigned counsel, and respectfully moves this Court, pursuant to Virginia Code Ann. § 43-70, to grant Smokecraft permission to discharge the Mechanic's Lien filed by Infinity, and states as follows as support thereof:

- 1. Smokecraft operates a restaurant business under the name of Smokecraft Modern Barbecue in the Clarendon area of Arlington County, Virginia, and is the Leasehold Owner of the premises where such restaurant is located.
- 2. Infinity is a Maryland corporation engaged in construction services, including, in this instance, in Arlington County, Virginia.
- 3. On or about October 29, 2020, Infinity filed a Mechanic's Lien in connection with work performed pursuant to a General Contractor Construction Agreement with Smokecraft (hereinafter, the "Infinity Lien"), recorded in the land records of Arlington County as Instrument No. 20200100030164.

Document received by the VA Arlington 17th Circuit Court.

4. On April 27, 2021, Infinity filed a Complaint in this Court, including a claim to enforce the Infinity Lien, and served the Complaint on Smokecraft on April 22, 2022.

5. Pursuant to Va. Code Ann. § 43-70, Smokecraft would like to discharge the Infinity Lien by payment of the alleged amount sufficient to discharge such lien, plus court costs, into the Court registry.

6. Infinity consents to the relief sought herein.

7. The Parties agree that Smokecraft provided sufficient notice of intent to petition this Court for permission to discharge the Mechanic's Lien pursuant to Va. Code Ann. § 43-70, and/or the Parties waive any further notice.

8. Accordingly, Smokecraft respectfully requests that this Court grant permission for Smokecraft to discharge the Infinity Lien by paying into the Court the amount of \$64,000, which includes court costs and interest, and that upon payment of such amount into the registry of the Court the Infinity Lien shall be discharged as provided by Virginia Code 43-70.

WHEREFORE, Plaintiff Infinity Building Services, Inc. and Defendant Smokecraft Clarendon, LLC respectfully request that this Court grant Defendant Smokecraft Clarendon, LLC permission to discharge the Mechanic's Lien filed by Plaintiff Infinity Building Services, Inc.

Respectfully submitted,

Dated: May 3, 2022

THE PELS LAW FIRM

Jon D. Pels, Esq., VA Bar #39888 ipels@pelslaw.com

4845 Rugby Avenue, Third Floor Bethesda, MD 20814 (301) 986-5570 (T)

12642 Chapel Rd. Clifton, VA 20124 703-818-2600, x209

FULLERTON & KNOW

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Paul Schrader, Esq., VA Bar #

pschrader@fullertonlaw.com

Document received by the VA Arlington 17th Circuit Court.

(301) 986-5571 (F) Counsel for Defendant Smokecraft Clarendon, LLC Fax 703-818-2602 Counsel for Plaintiff Infinity Building Services, Inc.



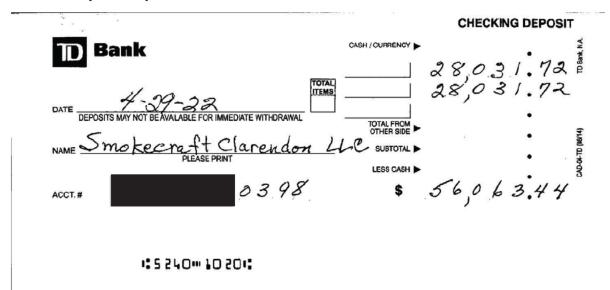
America's Most Convenient Bank® 2022 TD Bank, N.A. All Rights Reserved

Account: TD BUSINESS PREMIER CHECKING

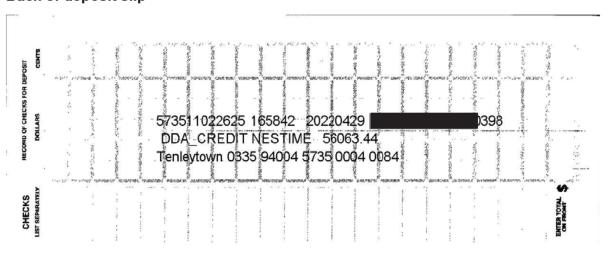
Date posted: Apr 29, 2022

Amount: \$56,063.44

Front of deposit slip



Back of deposit slip



Front of check



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Account:

TD BUSINESS PREMIER CHECKING

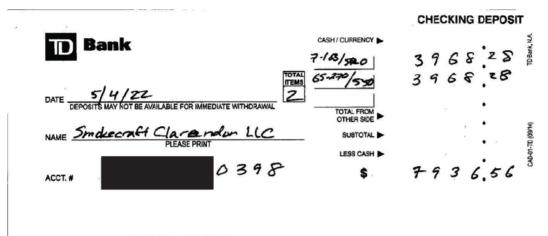
Date posted:

May 4, 2022

Amount:

\$7,936.56

Front of deposit slip

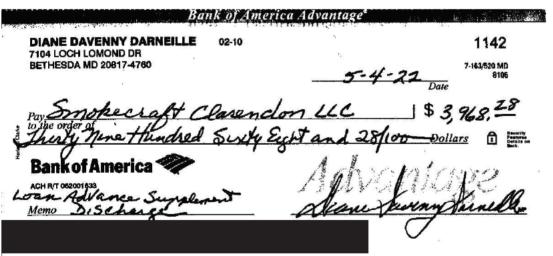


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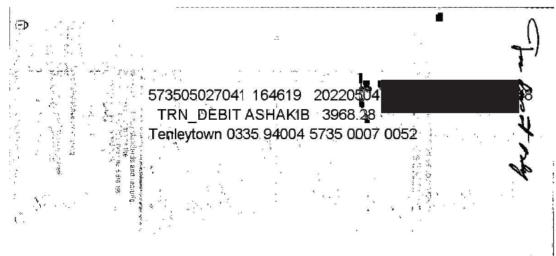
Back of deposit slip



Front of check



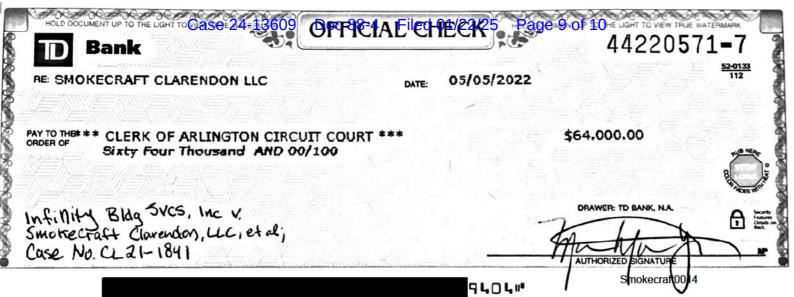
Back of check



Front of check

HOPEWELL H. DARNEILLE III 07-83 7104 LOCH LOMOND DR. BETHESDA, MD 20817-4760	65-270/550 Date	326 5/3/22	5
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Page 8 of 10 3003 WASHINGTON BLVD, STE 101 ARLINGTON, VA 22201 PAY TO THE OF HOPEWELL Darveille Thirty two thousand eight hundred fourteen Bank America's Most Convenient Bank FOR 1BS Va Ct. Lien Loan Returns 2213 SMOKECRAFT CLARENDON LLC 3003 WASHINGTON BLVD. STE 101 15-172/540 ARLINGTON, VA 22201 merica's Most Convenient Bar FOR IRS Va Ct. Cien Lean Detven + 290 Smokecraft0013 3981



Smokecraft Clarendon LLC

Transaction Report

All Dates

DATE	TRANSACTION TYPE	NUM	NAME	MEMO/DESCRIPTION	ACCOUNT	SPLIT	AMOUNT	BALANCE
Loan from Pa	rents							
12/08/2020	Deposit		Robert Darneille	DEPOSIT short term loan from parents	2256 Loan from Parents	1020 TD Bank Operating	15,000.00	15,000.00
12/15/2020	Deposit			DEPOSIT	2256 Loan from Parents	1010 Capital Bank MD	15,000.00	30,000.00
01/19/2021	Deposit			loan from parents	2256 Loan from Parents	1020 TD Bank Operating	20,000.00	50,000.00
04/29/2022	Deposit			DEPOSIT	2256 Loan from Parents	1020 TD Bank Operating	56,063.44	106,063.44
05/04/2022	Deposit			DEPOSIT	2256 Loan from Parents	1020 TD Bank Operating	7,936.56	114,000.00
02/24/2023	Deposit			Hi Marcelena, My parents have written a check, which I deposited today, for a \$15,000.00 loan for us to keep our steady cash flow with legal bills still to come. My Dad has offered this loan at 5%, less than our 10% investor loan agreement per our articles, so please start tracking accordingly.	2256 Loan from Parents	1020 TD Bank Operating	15,000.00	129,000.00
08/08/2023	Bill		Hopewell Darneille		2256 Loan from Parents	Accounts Payable (A/P)	-32,000.00	97,000.00
08/08/2023	Bill		Diane Darneille		2256 Loan from Parents	Accounts Payable (A/P)	-32,000.00	65,000.00
08/15/2023	Transfer			New loan from Andrew's parents	2256 Loan from Parents	1020 TD Bank Operating	59,528.00	124,528.00
09/22/2023	Deposit		Hopewell Darneille	DEPOSIT	2256 Loan from Parents	1020 TD Bank Operating	30,000.00	154,528.00
01/01/2024	Journal Entry	re- class loan		to re-class loan from parents to equity	2256 Loan from Parents	-Split-	- 154,528.00	0.00
Total for Loan	from Parents						\$0.00	
TOTAL							\$0.00	